

0120 Re PCT/PTO (9 NOV 2003)

09/807660

LAW OFFICES OF
SYNNESTVEDT & LECHNER LLP

2600 ARAMARK TOWER
1101 MARKET STREET
PHILADELPHIA, PA 19107-2950
TELEPHONE (215) 923-4466
FACSIMILE (215) 923-2189
E-MAIL synnlech@synnlech.com
www.synnlech.com

November 19, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re/ Application of C. R. Maliszewski,
R. B. Gayle III, and A. J. Marcus
Application No. 09/807,660
Based on Intl. Appl. No. PCT/US99/23641
Filed September 6, 2001

Examiner: W. M. Alvarado
Art Unit: 1642
Confirmation No. 2232

Methods of Inhibiting Platelet Activation and Recruitment

Attorney Docket No. P23,495 USA

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail Post Office to Addressee, Mailing Label No. EL977823201US, in an envelope addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Attn: Examiner Winston M. Alvarado, on November 19, 2003.


Matt N. Dunn

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Attn: Examiner Winston M. Alvarado

Resubmission of Reply to
Notification of Defective Response dated April 22, 2003

Sir:

A Notification of Abandonment, dated November 7, 2003, was issued for the above-identified application because a Notification of Defective Response, dated

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Attorney Docket No. P23,495 USA

November 19, 2003
Page 2

April 22, 2003, was allegedly not replied to in a timely manner. Applicants respectfully submit that the Notification of Defective Response was replied to on May 22, 2003. As evidence of this, enclosed herewith are the following:

- (A) Copy of Notification of Defective Response of April 22, 2003;
- (B) Copy of Reply to Notification of Defective Response of April 22, 2003, dated May 22, 2003;
- (C) Copy of Statement under 37 CFR §§1.821(f) and 1.821(g), dated May 22, 2003; and
- (D) Copy of Return Postcard date stamped by the OIPE on May 28, 2003.

Furthermore, in order to facilitate ongoing prosecution of the present application, enclosed herewith are:

- (E) One diskette containing the Sequence Listing in computer-readable form; and
- (F) A new statement concerning submissions of Sequence Listings subsequent to filing of the application, pursuant to 37 CFR §§ 1.821(f) and 1.821(g).

Remarks

One diskette containing the Sequence Listing in computer-readable form and original copies of items (A), (B), and (C) were mailed to the USPTO on May 22, 2003. As evidence of receipt of these items by the USPTO, applicants submit herewith a copy of a return postcard date stamped by the OIPE May 28, 2003 (item (D)). MPEP §203.08 states, "A postcard receipt for replies to Office actions, adequately and specifically identifying the papers filed, will be considered *prima facie* proof of receipt of such papers." This return postcard indicates that the USPTO did receive the diskette and original copies of items (A), (B), and (C).

SYNNESTVEDT & LECHNER LLP

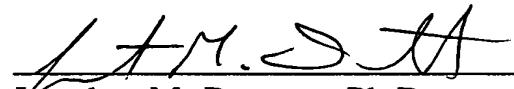
Application No.09/807,660
Attorney Docket No. P23,495 USA

November 19, 2003
Page 3

mailed on May 22, 2003. Thus, Applicants respectfully request withdrawal of the Notice of Abandonment.

Any Patent Office fee associated with this matter should be charged to Deposit Account No. 19-5425. A duplicate of this transmittal letter is enclosed.

Respectfully submitted,



Jonathan M. Dermott, Ph.D.
Registration No. 48,608

SYNNESTVEDT & LECHNER LLP
Suite 2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
(215)923-4466

M:\LWhite\Immunex-Cornell\23495 USA\Patent Office\second resubmission of 3rd sequence listing tml and statement.wpd

LAW OFFICES OF
SYNNESTVEDT & LECHNER LLP
2600 ARAMARK TOWER
1101 MARKET STREET
PHILADELPHIA, PA 19107-2950
TELEPHONE (215) 923-4466
FACSIMILE (215) 923-2189
E-MAIL synntech@synntech.com
www.synntech.com

May 22, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**In re/ Application of C. R. Maliszewski, R. B. Gayle III, and A. J. Marcus
Application No. 09/807,660
Based on International Application No. PCT/US99/23641
Filed September 6, 2001**

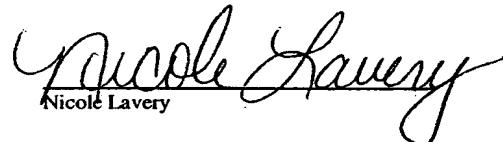
**Examiner: A. Decloux
Art Unit: 1642
Confirmation No. 2232**

Methods of Inhibiting Platelet Activation and Recruitment

Attorney Docket No. P23,495 USA

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope, postage prepaid, addressed to U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on May 22, 2003.



Nicole Lavery

**U.S. Patent and Trademark Office
Box Sequence
P.O. Box 2327
Arlington, VA 22202**

COPY

Reply to Notification of Defective Response dated April 22, 2003

Sir:

**In response to the Notification of Defective Response dated April 22, 2003, enclosed
herewith are the following:**

- (A) One diskette containing the Sequence Listing in computer-readable form;**
- (B) the required statement concerning submissions of Sequence Listings
subsequent to filing of the application, pursuant to 37 CFR §§ 1.821(f) and**

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Page 2

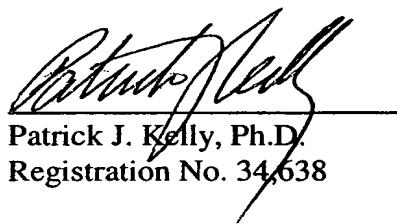
May 22, 2003

1.821(g); and

(C) a copy of the Notification of Defective Response.

Any Patent Office fee associated with this matter should be charged to Deposit Account No. 19-5425. A duplicate of this transmittal letter is enclosed.

Respectfully submitted,



Patrick J. Kelly, Ph.D.
Registration No. 34,638

SYNNESTVEDT & LECHNER LLP
Suite 2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107

M:\LWhite\Immunex-Cornell\23495 USA\Patent Office\3rd sequence listing tml and statement.wpd

LAW OFFICES OF
SYNNESTVEDT & LECHNER LLP
2600 ARAMARK TOWER
1101 MARKET STREET
PHILADELPHIA, PA 19107-2950
TELEPHONE (215) 923-4466
FACSIMILE (215) 923-2189
E-MAIL synnlech@synnlech.com
www.synnlech.com

May 22, 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

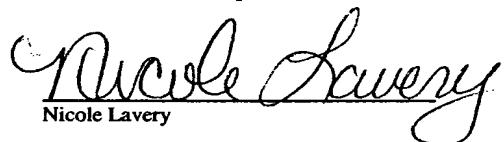
In re/ Application of C. R. Maliszewski, R. B. Gayle III, and A. J. Marcus
Application No. 09/807,660 **Examiner: A. Decloux**
Based on International Application No. PCT/US99/23641 **Art Unit: 1642**
Filed September 6, 2001 **Confirmation No. 2232**

Methods of Inhibiting Platelet Activation and Recruitment

Attorney Docket No. P23,495 USA

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope, postage prepaid, addressed to U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202 on May 22, 2003.



Nicole Lavery
Nicole Lavery

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Box Sequence
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Arlington, VA 22202

Statement under 37 C.F.R. §§ 1.821(f) and 1.821(g)
Regarding Subsequent Sequence Listing Submissions

Sir:

STATEMENT

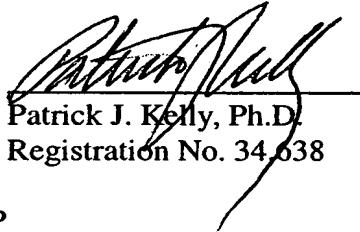
In accordance with 37 CFR §§ 1.821(f) and 1.821(g) relating to submissions containing Sequence Listings after the time of filing of the application, the undersigned hereby certifies that:

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Page 2

May 22, 2003

- (A) The Sequence Listing information recorded in computer readable form is identical to the written copy of the Sequence Listing submitted on January 20, 2003;
- (B) all of the sequences are reflected in the application as filed; and
- (C) the present submission contains no new matter.

Respectfully submitted,



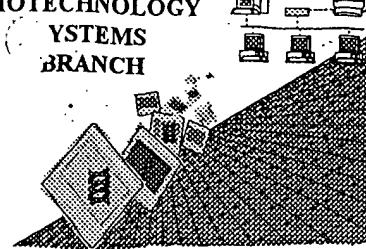
Patrick J. Kelly, Ph.D.

Registration No. 34,638

SYNNESTVEDT & LECHNER LLP
Suite 2600 Aramark Tower
1101 Market Street
Philadelphia, PA 19107
(215) 923-4466

PCT/09

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CRF Problem Report

COPY

The Scientific and Technical Information Center (STIC) experienced a problem when processing the following computer readable form (CRF):

Application Serial Number: 09/807,660B

Filing Date: 12/6/2001

Date Processed by STIC: 3/19/2003

STIC Contact: Mark Spencer, 703-308-4212

Nature of Problem:

The CRF (was):

melted CD

(circle one) Damaged or Unreadable (for Unreadable, see attached)
 Blank (no files on CRF) (see attached)
 Empty file (filename present, but no bytes in file) (see attached)
 Virus-infected. Virus name: _____ The STIC will not process the CRF.
 Not saved in ASCII text
 Sequence Listing was embedded in the file. According to Sequence Rules, submitted file should **only** be the Sequence Listing.
 Did not contain a Sequence Listing. (see attached sample)
 Other:

PLEASE USE THE CHECKER VERSION 3.1 PROGRAM TO REDUCE ERRORS.

SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<<http://www.uspto.gov/ebc/efs/downloads/documents.htm>> , EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service , or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002

*Please mail this report with the
delivery notice.*

Winston Alvarado
National Stage Processing
Patent Specialist
1700 355-8421